

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 17, 2006

DIVISION ONE

B189637 Safeco Insurance Company of America et al.
v.
Superior Court, Los Angeles County
(Century Surety Company, r.p.i.)

Filed order denying petition for rehearing.

DIVISION THREE

B181874 Theraube (Not for Publication)
v.
Rodriguez, et al.

The judgment from which Theraube has appealed is reversed and the cause is remanded for further proceedings consistent with the views expressed herein. The order granting Rodriguez's motion for attorney's fees and denying Theraube's motion to strike Rodriguez's costs memorandum and tax costs is also reversed. Costs on appeal to Theraube.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

July 17, 2006 (Continued)

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed. Parties to bear their own costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B186447 In re Donald Miller (Not for Publication)
on
Habeas Corpus

The superior court's order granting habeas corpus relief is reversed. The case is remanded to the superior court to conduct appropriate proceedings on that portion of the habeas corpus petition challenging the board's June 2, 2004 denial of early discharge on parole.

Willhite, J.

We concur: Epstein, P.J.
Hastings, J. (Assigned)

B186577 People (Not for Publication)
v.
Felix

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

July 17, 2006 (Continued)

DIVISION FOUR (Continued)

B183225 People (Not for Publication)
v.
Herrera

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Hastings, J. (Assigned)

B182839 SMB Limited Partnership (Not for Publication)
v.
The Forster Group, LLC, et al.
John Byers

The judgment is affirmed. Each side is to bear own costs.

Hastings, J. (Assigned)

We concur: Willhite, Acting P.J.
Suzukawa, J.

B187207 Los Angeles County, D.C.S. (Not for Publication)
v.
Thurman R.

The order for long-term foster care is affirmed.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Willhite, J.

July 17, 2006 (Continued)

DIVISION FOUR (Continued)

B181018 People (Not for Publication)
v.
Robbins

The judgment is affirmed.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Willhite, J.

DIVISION SIX

B181000 Lemon Grove Plaza, Inc. (Not for Publication)
v.
Jonker

The judgment is affirmed. Costs are awarded to respondent.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B189702 People (Not for Publication)
v.
May

The judgment (order of commitment) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

July 17, 2006 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment (order of dismissal) is affirmed. As a sanction for this frivolous appeal, attorney Stephen R. Cameron is ordered to pay respondent's counsel the sum of \$6,657. Costs on appeal are awarded to respondents. Pursuant to Business and Professions Code section 6086.7, subdivision (a)(3), the clerk of this court is directed to forward a copy of this opinion to the state bar.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B181967 People (Not for Publication)
v.
Carter

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

July 17, 2006 (Continued)

DIVISION SEVEN

B189560 Blum (Certified for Publication)

v.

Superior Court, Los Angeles County
(Copley Press, Inc., et al., r.p.i.)

Let a preemptory writ of mandate issue directing the superior court to reverse its order sustaining the demurrer to the FEHA causes of action of the FAC and to enter an order overruling the demurrer to the FEHA causes of action. Furthermore, the superior court is directed to enter an order striking the SAC. Plaintiff is awarded his costs in bringing this petition.

Woods, J.

We concur: Perluss, P.J.
 Zelon, J.

DIVISION EIGHT

B181653 People (Not for Publication)

v.

Jones

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.

B183424 People (Not for Publication)

v.

Foster

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
 Boland, J.

July 17, 2006 (Continued)

DIVISION EIGHT (Continued)

B181533 People (Not for Publication)
v.
Rostomyan

The clerk's minute order of February 15, 2005, shall be corrected, to change the references from "count 15" to "count 14" in the following sentence:

"The defendant personal withdraws plea of not guilty to count 15 and pleads nolo contendere with the approval of the court to a violation of section 114 PC in count 15." In all other respects, the judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.